

Combined Declaration and Power of Attorney for Patent Application

HGS Ref. PF306
Docket No. 1488.0440002/EKS/AJK

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Human Oncogene Induced Secreted Protein 1, the specification of which is attached hereto unless the following box is checked:

☒ was filed on December 19, 1997 ;
as United States Application Number 08/994,962 ; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Application No.)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(Application No.)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/033,869
(Application No.)

December 20, 1996
(Filing Date)

60/037,388
(Application No.)

February 7, 1997
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application No.)
abandoned)

(Filing Date)

(Status - patented, pending,

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

POWER OF ATTORNEY FROM ASSIGNEE

HGS Ref. PF306
Docket No. 1488.0440002/EKS/AJK

HUMAN GENOME SCIENCES, INC., a corporation of Delaware, having a principal place of business at 9410 Key West Avenue, Rockville, MD 20850, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on April 20, 1998 of an invention known as Human Oncogene Induced Secreted Protein I (Attorney Docket No. 1488.0440002/EKS/AJK), which is disclosed and claimed in a patent application of the same title by the inventor(s) Henrik S. OLSEN and Steven M. RUBEN (said application filed on December 19, 1997 at the U.S. Patent and Trademark Office, having Application Number 08/994,962).

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Registration No. 28,912; Edward J. Kessler, Registration No. 25,688; Jorge A. Goldstein, Registration No. 29,021; Samuel L. Fox, Registration No. 30,353; David K.S. Cornwell, Registration No. 31,944; Robert W. Esmond, Registration No. 32,893; Tracy-Gene G. Durkin, Registration No. 32,831; Michele A. Cimbala, Registration No. 33,851; Michael B. Ray, Registration No. 33,997; Robert E. Sokohl, Registration No. 36,013; Eric K. Steffe, Registration No. 36,688; Michael Q. Lee, Registration No. 35,239; Robert H. Benson, Registration No. 30,446; James H. Davis, Registration No. 40,582; A. Anders Brookes, Registration No. 36,373; and Kenley K. Hoover, Esquire, Registration No. 40,302. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

Sterne, Kessler, Goldstein & Fox P.L.L.C.
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Washington, D.C. 20005-3934
U.S.A.

Direct phone calls to 202-371-2600.

FOR: HUMAN GENOME SCIENCES, INC.

SIGNATURE: *Robert H. Benson*

BY: Robert H. Benson

TITLE: Vice President for Intellectual Property

DATE: *April 21, 1998*

Robert G. Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; Samuel L. Fox, Esq., Reg. No. 30,353; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Robert H. Benson, Esq., Reg. No. 30,446; James H. Davis, Esq., Reg. No. 40,582; A. Anders Brookes, Esq. Reg. No. 36,373; and Kenley K. Hoover, Esq., Reg. No. 40,302.

Send Correspondence to:

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Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor		Henrik S. OLSEN	
Inventor's signature	<i>Henrik S. Olsen</i>	4/20/98	Date
Residence		182 Kendrick Place #24 Gaithersburg, MD 20878	
Citizenship		Denmark	
Post Office Address		SAME AS ABOVE	
Full name of second inventor		Steven M. RUBEN	
Second inventor's signature	<i>Steven M. Ruben</i>	4/20/98	Date
Residence		18528 Heritage Hills Drive Olney, MD 20832	
Citizenship		U.S.A.	
Post Office Address		SAME AS ABOVE	

ASSIGNMENT

HGS Ref. PF306
Docket No. 1488.0440002/EKS/AJK

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned: Henrik S. OLSEN and Steven M. RUBEN, the undersigned hereby sell(s) and assign(s) to HUMAN GENOME SCIENCES, INC. (the Assignee) his/her entire right, title and interest

check applicable box(es) ☒ for the United States of America (as defined in 35 U.S.C. § 100),
☒ and throughout the world,

in the invention(s) known as Human Oncogene Induced Secreted Protein 1 for which application(s) for patent in the United States of America has (have) been executed by the undersigned on April 20, 1998 (also known as United States Application No. 08/994,962, filed December 19, 1997), in any and all applications thereon, in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and divisional and continuation applications thereof, to the full end of the term or terms for which such Letters Patent(s) issue, including the right to collect for all past, present and future damages, such entire right, title and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby represents that the undersigned has full right to convey the entire interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s) Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; Samuel L. Fox, Esquire, Registration No. 30,353; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; and Michael Q. Lee, Esquire, Registration No. 35,239 of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, as well as Robert H. Benson, Esquire, Registration No. 30,446; James H. Davis, Esquire, Registration No. 40,582; A. Anders Brookes, Esquire, Registration No. 36,373; and Kenley K. Hoover, Esquire, Registration No. 40,302, representatives of the Assignee, HUMAN GENOME SCIENCES, INC., power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Date: X 4/20/98 Signature of Inventor: X Henrik S. Olsen
Henrik S. OLSEN
Date: X 4/20/98 Signature of Inventor: X Steven M. Ruben
Steven M. RUBEN